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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Testamentary & Intestate Jurisdiction
ORIGINAL SIDE

IA NO. GA/1/2023
In PLA/218/2006

IN THE GOODS OF KESARDEO BIHANI

BEFORE:
The Hon'ble JUSTICE SUGATO MAJUMDAR
Date : 16th June, 2023

Appearance :
Mr. U. Betal, Adv.

The Court: GA/1/2023 is filed in connection with the last Will and Testament dated 10th December, 1985 of Kesardeo Bihani since deceased, the testator herein.

Letter of Administration of the said will and testament was issued on 27th August, 2008.

The present application is filed by the Kesardeo Bihani, the son of the testator to whom the letters of administration was granted. There were certain errors in the description of the Affidavit-of-Assets which needs to be corrected. Although detailed descriptions of the assets are not mentioned in the will, the will, in general mentions, “all assets”. It is the contention of the learned Counsel that in view of these mistakes and errors, inventory under Section 317 of the Indian Succession Act, 1925 could not be filed. Recently, this error came to the knowledge of the Petitioner compelling him to file the present application for effective administration of the estate of the testator.

It is further submitted by the learned Counsel that there is no willful delay on his part to file the inventory and the present application. However, it is not here when these errors came to the knowledge of the Petitioner. The Petitioner is, accordingly, directed to file a supplementary affidavits given all the details.

Let the matter appear in the list on 7th July, 2023.

(SUGATO MAJUMDAR, J.)

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